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and Michael Clark

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

KYLE DAVID BIEDMA,

Case No. C 14-02853 RS

Plaintiff,

**STIPULATION AND ORDER RE  
CASE MANAGEMENT**

v.

MICHAEL CLARK, an individual; CITY OF  
SANTA ROSA, a municipal entity; and  
DOES 1 through 20, inclusive,

Defendants.

Trial Date: 2/29/16

Judge: The Hon. Richard Seeborg

This Joint Stipulation to Modify the Court's Case Management Scheduling Order is submitted by all parties to this action. Said parties respectfully request that the Court modify its Case Management Scheduling Order of May 14, 2015 to provide for a new date for exchange and filing of a Joint Pre-trial Statement, motions in limine, proposed voir dire questions, and jury instructions.

**RECITALS**

A. On May 14, 2015, the Court issued its Case Management Scheduling Order providing for a trial date of February 29, 2016. In that Order the Court set a Pretrial Conference for February 11, 2016.

B. As per the Court's "GUIDELINES FOR FINAL PRETRIAL CONFERENCE IN JURY CASES", the parties are currently required to exchange exhibits, lodge with

1 the court a Joint Pretrial Statement, file and serve motions in limine on or before  
2 Monday February 1, 2016, and to file proposed voir dire questions, jury instructions,  
3 verdict forms and oppositions to motions in limine on or before Friday, February 5,  
4 2016.

5 C. On January 21, 2016, the Court referred this matter for a Mandatory Settlement  
6 Conference before Magistrate Jacqueline Scott Corley. That Mandatory Settlement  
7 Conference is now scheduled for Monday, February 1, 2016.

8 D. The parties intend to engage in good faith settlement discussions and are optimistic  
9 that, with Magistrate Corley's assistance, this matter may be resolved by way of  
10 settlement.

11 E. With the Court's permission, the parties respectfully request that the pretrial  
12 deadlines set forth in the Court's initial Case Management Scheduling Order and the  
13 Court's Standing Order and Guidelines be extended for a short period of time after  
14 the Mandatory Settlement Conference, but in advance of the Pretrial Conference so  
15 that the parties may devote their time and attention to efforts to resolve the case and  
16 avoid incurring the time and expense of pretrial preparation if, in fact, a settlement  
17 can be reached.

18 NOW THEREFORE, the parties respectfully stipulate and request that the Court order that

19 (1) the last day for the parties to exchange exhibits, lodge with the court a Joint Pretrial  
20 Statement, file and serve motions in limine shall be continued from February 1, 2016  
21 until February 4, 2016;

22 (2) the last day for filing proposed voir dire questions, jury instructions, verdict forms  
23 and oppositions to motions in limine be continued from Friday, February 5, 2016  
24 until Tuesday, February 9, 2016.

25 (3) the Pretrial Conference shall remain as scheduled on February 11, 2016 and all other

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1                   pretrial deadlines shall remain in place.

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3       DATED: January 21, 2016

\_\_\_\_\_/s/\_\_\_\_\_  
REX GRADY  
Attorney for Plaintiff Kyle David Biedma

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6       DATED: January 21, 2016

\_\_\_\_\_/s/\_\_\_\_\_  
ROBERT L. JACKSON  
Assistant City Attorney  
Attorney for Defendants City of Santa  
Rosa and Michael Clark

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11           **IT IS SO ORDERED.**

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13       DATED: 1/25/16

  
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**The Honorable Richard Seeborg**  
United States District Court Judge